

**SPEYER & PERLBERG, LLP**

COUNSELORS AT LAW

115 BROADHOLLOW ROAD, SUITE 250

MELVILLE, NEW YORK 11747

(631) 673-6670

FAX (631) 673-7073

www.speyerperlberg.com

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DATE

LED: 11/9/15

DENNIS M. PERLBERG  
perlberg@speyerperlberg.com

November 6, 2015

**MEMO ENDORSED** 11/9/15

DENIED (since Fischer has NOT  
commented - see his 11/8/15 letter).

Via ECF

Hon. Alison J. Nathan  
United States District Court  
For the Southern District of New York  
500 Pearl Street  
New York, New York 10007

SO ORDERED:

Hon. Andrew Jay Peck  
United States Magistrate Judge

Re: James Fischer v. Dean Eric Stiglitz,  
Laurie Ane Herboldscheimer and Golden Rule Honey, LLC  
Case No.: 15 CV 6266  
Our File No.: 15-120 DMP (17)

Dear Judge Nathan:

This letter requests an extension of time to answer the amended complaint by defendant, Dean Stiglitz ("Stiglitz").

This office represents defendant, Stiglitz, in the above matter. Plaintiff, who is appearing *pro se*, has amended the complaint in response to a Rule 12(b)(5) and (6) motion that we made for Stiglitz.

The amended complaint adds two additional parties, as noted in the above caption. They are the wife and the LLC in which Stiglitz is a managing member.

It is our intent to make the same motion on behalf of Stiglitz that was previously made, as we contend that the new allegations against him do not cure the jurisdictional defects or the deficiencies in stating a claim.

The two new defendants have not been served, as of this date, but plaintiff, Mr. Fischer, has advised me that service will be complete in the very near term. The insurance company for defendants, Farm Family Casualty Ins. Co., is reviewing the amended complaint to determine if they will afford coverage for a defense or indemnity and, if so, whether there are conflicts of interest that could prevent this office from being

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retained to represent one or both new parties. Accordingly, although we expect to be retained for the two new parties, that has not yet been accomplished.

The grounds that Stiglitz relies upon to move with respect to the amended complaint apply equally to the new parties. In order to avoid multiple motions, we have requested, and Mr. Fischer has consented, to extend the time of Mr. Stiglitz to answer or move with respect to the amended complaint to the same date that the answer or motion will become due for the new parties. The original date to answer for Stiglitz is November 16, 2015. This is Stiglitz's first request for an extension of time to answer or move with respect to the amended complaint.

Thank you for your courtesies in this matter.

Respectfully yours,



Dennis M. Perlberg

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**Via First Class Mail**

cc: James Fischer  
Plaintiff, Pro Se  
Box 287048  
New York, NY 10128